

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

DePuy Mitek, Inc.	)	
a Massachusetts Corporation	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 04-12457 PBS
	)	
Arthrex, Inc.	)	
a Delaware Corporation	)	
	)	
Defendant.	)	
	)	

**UNOPPOSED MOTION TO EXTEND TIME FOR FILING RESPONSE TO DEPUY  
MITEK, INC.'S MOTION TO PRECLUDE ARTHREX, INC AND PEARSALLS, LTD.  
FROM SUPPLEMENTING THEIR EXPERT REPORTS AND DEPOSITIONS**

Defendants Arthrex, Inc. ("Arthrex") and Pearsalls, Ltd. ("Pearsalls") (together, "defendants") move to extend the time for filing a response to DePuy Mitek, Inc.'s ("DePuy Mitek's") motion to preclude Arthrex and Pearsalls from supplementing their expert reports and depositions until August 28, 2006.

According to local rule 7.1(b)(2), a response to DePuy Mitek's motion is due on August 23, 2006. In accordance with Local Rule 7.1(a)(2), counsel for defendants certify that they conferred with counsel for DePuy Mitek on August 21, 2006. DePuy Mitek does not oppose this motion.

Dated: August 22, 2006

Respectfully submitted,

By:           /s/Salvatore P. Tamburo            
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Counsel for Defendants  
Arthrex, Inc. and Pearsalls Ltd.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing UNOPPOSED MOTION TO EXTEND TIME FOR FILING RESPONSE TO DEPUY MITEK, INC.'S MOTION TO PRECLUDE ARTHREX, INC AND PEARSALLS, LTD. FROM SUPPLEMENTING THEIR EXPERT REPORTS AND DEPOSITIONS and proposed Order were served, via the Court's email notification system on the following counsel for Plaintiff on the 22nd day of August 2006:

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\_\_\_\_\_  
/s/Salvatore P. Tamburo

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a Delaware Corporation	)	
	)	
Defendant.	)	

**ORDER**

Upon consideration of the Unopposed Motion to Extend Time for Filing Response to DePuy Mitek, Inc.'s Motion to Preclude Arthrex, Inc and Pearsalls, Ltd. From Supplementing Their Expert Reports and Depositions, it is ORDERED that the motion is GRANTED.

This \_\_ day of August, 2006.

\_\_\_\_\_  
PATTI B. SARIS  
UNITED STATES DISTRICT COURT JUDGE